

HOUSE BILL NO. 507

INTRODUCED BY L. JONES

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING ADDITIONAL COMPENSATION FOR COUNTY CLERKS AND RECORDERS WHO ARE ALSO ELECTION ADMINISTRATORS; AND AMENDING SECTION 7-4-2503, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-4-2503, MCA, is amended to read:

"7-4-2503. Salary schedule for certain county officers -- county compensation board. (1) (a) The salary paid to the county treasurer, county clerk and recorder, clerk of the district court, county assessor, county superintendent of schools, county sheriff, county surveyor in counties where county surveyors receive salaries as provided in 7-4-2812, justice of the peace, and county auditor in all counties where the office is authorized must be established by the county governing body based upon the recommendations of the county compensation board provided for in subsection (4).

(b) The annual salary established pursuant to subsection (1)(a) must be uniform for all county officers referred to in subsection (1)(a).

(2) (a) An elected county superintendent of schools must receive, in addition to the salary based upon subsection (1), the sum of \$400 a year, except that an elected county superintendent of schools who holds a master of arts degree or a master's degree in education, with an endorsement in school administration, from a unit of the Montana university system or an equivalent institution may, at the discretion of the county commissioners, receive, in addition to the salary based upon subsection (1), up to \$2,000 a year.

(b) The county sheriff must receive, in addition to the salary based upon subsection (1), the sum of \$2,000 a year.

(c) The county sheriff must receive a longevity payment amounting to 1% of the salary determined under subsection (1) for each year of service with the sheriff's department, but years of service during any year in which the salary was set at the level of the salary of the prior fiscal year may not be included in any calculation of longevity increases. The additional salary amount provided for in this subsection may not be included in the salary for purposes of computing the compensation for undersheriffs and deputy sheriffs as provided in

1 7-4-2508.

2 (d) If the clerk and recorder is also the county election administrator, the clerk and recorder may receive,
3 in addition to the base salary provided in subsection (1)(a), the sum of at least UP TO \$2,000 a year. The
4 additional salary provided for in this subsection (2)(d) may not be included as salary for the purposes of
5 computing the compensation of any other county officers or employees.

6 (3) (a) In each county with a population in excess of 30,000, the county attorney must be a full-time
7 official under 7-4-2704, and the salary is \$50,000 a year, subject to adjustment as provided in subsection (3)(c).
8 In counties with a population less than 30,000, the county attorney who is a part-time official is entitled to receive
9 an annual base salary equal to the salary received for the fiscal year ending June 30, 2001.

10 (b) In those counties where the office of the county attorney has been established as a full-time position
11 pursuant to 7-4-2706, the salary of the county attorney is the same as that established for full-time county
12 attorneys in subsection (3)(a).

13 (c) Each county attorney is entitled to an increase in salary based upon the schedule developed and
14 approved by the county compensation board as provided in subsection (4).

15 (d) (i) After completing 4 years of service as deputy county attorney, each deputy county attorney is
16 entitled to an increase in salary of \$1,000 on the anniversary date of employment as deputy county attorney.
17 After completing 5 years of service as deputy county attorney, each deputy county attorney is entitled to an
18 additional increase in salary of \$1,500 on the anniversary date of employment. After completing 6 years of
19 service as deputy county attorney and for each year of additional service up to completion of the 11th year of
20 service, each deputy county attorney is entitled to an additional annual increase in salary of \$500.

21 (ii) The years of service as a deputy county attorney accumulated prior to July 1, 1985, must be included
22 in the calculation of the longevity increase.

23 (4) (a) There is a county compensation board consisting of the county commissioners, three of the
24 county officials described in subsection (1) appointed by the board of county commissioners, the county attorney,
25 and two to four resident taxpayers appointed initially by the board of county commissioners to staggered terms
26 of 3 years, with the initial appointments of one or two taxpayer members for a 2-year term and one or two
27 taxpayer members for a 3-year term. The county compensation board shall hold hearings annually for the
28 purpose of reviewing the compensation paid to county officers. The county compensation board may consider
29 the compensation paid to comparable officials in other Montana counties, other states, state government, federal
30 government, and private enterprise.

1 (b) The county compensation board shall prepare a compensation schedule for the elected county
2 officials, including the county attorney, for the succeeding fiscal year. The schedule must take into consideration
3 county variations, including population, the number of residents living in unincorporated areas, assessed
4 valuation, motor vehicle registrations, building permits, and other factors considered necessary to reflect the
5 variations in the workloads and responsibilities of county officials as well as the tax resources of the county.

6 (c) A recommended compensation schedule requires a majority vote of the county compensation board,
7 and at least two county commissioners must be included in the majority. A recommended compensation
8 schedule may not reduce the salary of a county officer that was in effect on May 1, 2001.

9 (d) The provisions of this subsection (4) do not apply to a county that has adopted a charter form of
10 government or to a charter, consolidated city-county government."

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